

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

6 JUNE 2000

The City Council of the City of Greensboro met in regular session at 5:30 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Thomas M. Phillips, and Nancy Vaughan. Absent: Donald R. Vaughan, entering later in the meeting. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Candice Bruton, employee in the Parks and Recreation Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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The Mayor noted that closed captioning services for this meeting would be delayed.

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After the Mayor stated that Councilmember Don Vaughan had been delayed, Councilmember Johnson moved that he be excused. The motion was seconded by Councilmember Phillips and adopted unanimously by voice vote of Council.

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After Councilmember Burroughs-White introduced and read into the minutes a resolution honoring the memory of Louise Smith, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and N. Vaughan. Noes: None.

100-00 RESOLUTION HONORING THE MEMORY OF LOUISE SMITH

WHEREAS, the untimely death of Louise Smith on May 28, 2000 at the age of 79 deprives this community of one of its most influential and outstanding citizens;

WHEREAS, Mrs. Smith, a native of Fayetteville, North Carolina who has resided in Greensboro since 1945, and recognized the need for racial understanding in Greensboro early on and seized it as a key to this community's future;

WHEREAS, Louise Smith expressed the philosophy that "we need to put aside our usual religious, racial and political hang-ups and really think about our problems" and was highly instrumental in promoting racial

relations throughout the City having the courage to do things because they were right, and not necessarily because they were popular;

WHEREAS, she helped found the Family Life Council of Greensboro, initiated the first city-wide UNICEF Halloween collections and served as president of the Greensboro YWCA, whose current building was planned under her watch;

WHEREAS, Mrs. Smith participated on many boards including UNC Visitors, Carolina 100, Frank Porter Graham Jubilee, Public Health Fund, Church Women United, Episcopal Church Women, Democratic Women, Junior League, United Way, Girl Scouts, United Arts Council, Friends of the Library of Greensboro and UNC-G, the UNC-G Musical Arts Build, Angels of the UNC-G Theatre, and the PTA Council;

WHEREAS, even though her presence in this community will most certainly be missed, her life and example will be an inspiration to those who shared her vision and benefited from her dedication to the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the people of Greensboro, a deep sense of loss and a feeling of respect and esteem for the life of this devoted citizen and public servant.
2. That a copy of this resolution shall be delivered to the family of Louise Smith as a symbol of gratitude of the people of Greensboro for her outstanding public service.

(Signed) Yvonne J. Johnson

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Using a video to illustrate the impact on Greensboro of the recent major storm as well ongoing cleanup efforts, the City Manager provided an update with respect to the tonnage of debris removed, the cost of efforts to date, the assistance provided by other municipalities, and the City's efforts to secure financial aid from the Federal government to help cover the cost incurred. After brief discussion, Council spoke to the positive feedback from citizens with respect to the City's cleanup efforts, assistance to residents, etc.

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Mayor Holliday stated that because a number of interested parties were unable to attend this meeting, a request had been received to continue item 50 on the agenda, the consideration by Council of a Police Citizen Review Board.

Members of Council offered various comments with respect to the request to continue this matter; i.e., whether this matter should be continued again, the fact that the public on this issue had been closed and input from speakers would not be received when Council discussed and voted on this issue, personal opinions related to the establishment of a police citizen review board, the desire to bring closure to this issue, and efforts undertaken by various interested parties to develop an appropriate compromise.

Councilmember Donald R. Vaughan entered the meeting during the above discussion.

After lengthy discussion, Councilmember Burroughs-White moved to continue the matter to a future meeting. The motion was seconded by Councilmember Johnson; the motion was DEFEATED on the following roll call vote: Ayes: Burroughs-White, Johnson and Jones. Noes: Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan.

The Mayor advised that Council would consider this matter at the scheduled time later in this meeting.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance rezoning from Conditional Use-Light Industrial to Conditional Use-Light Industrial for property located on the east side of Guilford College Road between Nicholas Road and Bramblegate Road. He advised that this matter was being heard on appeal filed by Beverly Simpson after receiving a vote of 5-2 by the Zoning Commission to recommend denial of the rezoning and had been continued from the May 16, 2000 Council meeting. The Mayor administered the oath to those individuals who indicated that they wished to speak.

C. Thomas Martin provided the following staff presentation:

REQUEST

This request is to rezone property from Conditional Use – Light Industrial to Conditional Use – Light Industrial.

The Light Industrial District is primarily intended to accommodate limited manufacturing, wholesaling, warehousing, research and development, and related commercial/service activities.

The existing Conditional Use – Light Industrial District contains the conditions that are listed on the agenda and in the copy of the staff report:

- 1) Uses limited to mini storage warehouses and outside storage for boats and motor vehicles in operating condition.
- 2) Suitable opaque screening to be provided along southern property line.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) Uses limited to mini storage warehouses and outside storage for boats and motor vehicles in operating condition, and a car wash.
- 2) Suitable opaque screening to be provided along southern property line.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 2.8 acres and is located on the east side of Guilford College Road between Nicholas Road and Bramblegate Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	CU-LI	Mini warehouse facility
North	LI	Batts Body Shop
East	CU-SC	Rear portion of Wendover Place Shopping Center
South	RS-40, RS-12	Single family dwelling
West	RM-12	Charlestowne Village Condominiums

Mr. Martin stated that the Planning Department and Zoning Commission recommended denial of the rezoning request; he thereupon presented slides of the property and surrounding area.

The Mayor asked if anyone wished to speak to this matter.

Beverly Simpson, residing at 3401 Smoketree Drive, spoke in favor of the rezoning and outlined plans for the development of a car was operation at this location.

Council discussed with staff various concerns and opinions regarding the type of development that could take place under the proposed ordinance, the impact the proposed development could have on traffic in the area, the current and future traffic projections regarding level of service and roadway improvements on Guilford College Road and nearby intersections, and the fact that the conditions contained in the proposed ordinance did not specifically address the development as outlined by Ms. Simpson.

After lengthy discussion, Councilmember N. Vaughan moved to close the public hearing. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be denied.

This property was rezoned to conditional use light industrial in 1990 with the use limitation of mini storage warehouses.

This is a low traffic generating land use, one which staff feels is a reasonable use for this property given its location on a high traffic volume thoroughfare located near the intersection with Nicholas Road.

Staff feels that any higher traffic generating use, such as a car wash, on this site is, at best, premature – at worst, potentially dangerous.

No traffic impact study has been performed for this request.

Due to the major changes which are taking place at the interchange to the north, in addition to the widening of Guilford College Road, staff feels that no rezoning should be approved at this time which would allow a higher traffic volume entering and exiting at this key location.

Councilmember Phillips moved that the ordinance rezoning this property to Conditional Use – Light Industrial be denied based on the following findings of fact:

- 1) The location and character of the development in accordance with the proposed conditions will not be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this property is currently zoned for a reasonable land use which is a low traffic generating operation and there are traffic safety concerns in trying to accommodate an additional land use that will increase the ingress and egress of vehicles on Guilford College Road at this key location near the intersection with Nicholas Road.

The motion was seconded by Councilmember Carmany; the motion to deny was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Johnson, Phillips, Vaughan and Vaughan. Noes: Holliday, Jones and Perkins.

(A copy of the ordinance as introduced and DEFEATED is filed in Exhibit Drawer N, Exhibit Number 10, which is hereby referred to and made a part of these minutes.)

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution closing Apple Court from Bell-Orchard Drive eastward for a distance of approximately 200 feet to the City Limits. The Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

101-00 RESOLUTION CLOSING APPLE COURT FROM BELL-ORCHARD DRIVE EASTWARD FOR A DISTANCE OF APPROXIMATELY 200 FEET TO THE CITY LIMITS

WHEREAS, the owners of all of the property abutting both sides of Apple Court have requested in writing that said portion of street be closed and abandoned as a public street;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, June 6, 2000, at 5:30 p.m., on the closing of said portion of street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned portion of street have requested in writing that said portion of street be closed.

2. That the City Council hereby finds as a fact that the closing of the portion of street is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following portion of street is hereby permanently closed and abandoned as a public street:

APPLE COURT, FROM BELL-ORCHARD DRIVE EASTWARD FOR A DISTANCE OF APPROXIMATELY 200 FEET TO THE CITY LIMITS

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Yvonne J. Johnson

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Old Battleground Road (north side only) from Brandt Ridge Road to City Limits. The Mayor asked if anyone wished to be heard.

Speaking to an earlier request by Guilford County related to a bicycle trail in the area, Steve Kennedy, Director of the Engineering and Inspections Department, advised that Guilford County had agreed to pay assessments related to these improvements.

There being no one present who wished to speak to this matter, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

B-320 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

OLD BATTLEGROUND ROAD (NORTH SIDE ONLY) FROM BRANDT RIDGE ROAD TO CITY LIMITS

WHEREAS, on the 2nd day of July, 1996, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined to be widened on one side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

OLD BATTLEGROUND ROAD

Brandt Ridge Road to City Limits (North Side)

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Robert V. Perkins

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main improvements on Holly Crest Court from Stage Coach Trail to cul-de-sac. The Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember N. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was

adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

H-215 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

HOLLY CREST COURT FROM STAGE COACH TRAIL TO CUL-DE-SAC

WHEREAS, on the 7th day of January, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

HOLLY CREST COURT

Stage Coach Trail to Cul-De-Sac

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Nancy Vaughan

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main and sewer main improvements on King George Drive from Wakefield Drive to Buckhorn Road. The Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember D.Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

K-60 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

KING GEORGE DRIVE FROM WAKEFIELD DRIVE TO BUCKHORN ROAD

WHEREAS, on the 6th day of January, 1998, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

- (a) Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the water main.
- (b) Sewer Main Improvements. That a sanitary sewer main be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the sewer main.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

KING GEORGE DRIVE

Wakefield Drive to Buckhorn Road

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements, water main improvements and sanitary sewer improvements on Abington Drive – from northern end of Abington Drive northward to Busic Street. Mayor Holliday asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

M-237 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

ABINGTON DRIVE – FROM NORTHERN END OF ABINGTON DRIVE NORTHWARD TO BUSIC STREET

WHEREAS, on the 7th day of March, 1994, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

- (c) Roadway Paving Improvements. The street or streets hereinabove named within the limits defined to be paved a maximum of 30 feet in width with stone base asphaltic concrete surface, the paving to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the paving.
- (d) Water Main Improvements. A water main to be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the water main.
- (e) Sanitary Sewer Improvements. A sanitary sewer main to be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the sewer main.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

ABINGTON DRIVE

Northern End of Abington Drive Northward to Busic Avenue

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.

2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.

3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Earl Jones

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The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway paving, water main improvements and sanitary sewer improvements on Voltz Street from existing pavement to Dale Street. Mayor Holliday asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

V-85 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

VOLTZ STREET FROM EXISTING PAVEMENT TO DALE STREET

WHEREAS, on the 15th day of March, 1993, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

- (f) Roadway Paving Improvements. The street or streets hereinabove named within the limits defined to be paved a maximum of 30 feet in width with stone base asphaltic concrete surface, the paving to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the paving.
- (g) Water Main Improvements. A water main to be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the water main.

- (h) Sanitary Sewer Improvements. A sanitary sewer main to be laid on the street or streets hereinabove named within the limits defined and necessary laterals to be laid for the proper connection of abutting property with the sewer main.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

ROADWAY IMPROVEMENTS – VOLTZ STREET

400' East of Martin Luther King Blvd. To Dale Street

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Claudette Burroughs-White

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Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for water main improvements on Valecian Way from Holly Crest Court to Dead End. The Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following

roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

V-86 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

VALECIAN WAY FROM HOLLY CREST COURT TO DEAD END

WHEREAS, on the 7th day of January, 1997, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Water Main Improvements. That a water main be laid on the street or streets hereinabove named within the limits defined and that necessary laterals (including sewer laterals where none exist and sewer main has been installed) be laid for the proper connection of abutting property.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

VALECIAN WAY

Holly Crest Court to Dead End

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.
4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.
5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.
6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.
7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Sandy Carmany

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Willow Road from Alamance Church Road to City Limits (east side only) and Alamance Church Road from Willow Road to City Limits (north side only). Mayor Holliday asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

W-223 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

WILLOW ROAD FROM ALAMANCE CHURCH ROAD TO CITY LIMITS (EAST SIDE ONLY)

AND

ALAMANCE CHURCH ROAD FROM WILLOW ROAD TO CITY LIMITS (NORTH SIDE ONLY)

WHEREAS, on the 25th day of June, 1996, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined to be widened on one side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

ALAMANCE CHURCH ROAD

(North Side Only) Willow Road to City Limits

WILLOW ROAD

(East Side Only) Alamance Church Road to City Limits

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.
2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.
3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Yvonne J. Johnson

.....

Mayor Holliday stated that this was the time and place set for a public hearing to consider a resolution confirming assessment roll for roadway improvements on Church Street from Lake Jeanette Road to Eva Lane. The Mayor asked if anyone wished to be heard.

There being no one present who wished to speak to this matter, Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

C-253 RESOLUTION CONFIRMING ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS

CHURCH STREET FROM LAKE JEANETTE ROAD TO EVA LANE

WHEREAS, on the 16th day of December, 1991, the City Council of the City of Greensboro adopted a resolution ordering the making on the street or streets hereinabove set out of the following improvements:

Roadway Improvements. That the street or streets hereinabove named within the limits defined be widened on west side with stone base asphaltic concrete surface, the widening to include grading, construction of storm sewers, and necessary laterals, laying of concrete curbs and gutters, and all other work incidental to the improvements.

AND, WHEREAS, the improvements have now been completed, and the City Council has ascertained the total cost thereof and the amount that should be assessed against each lot abutting on the improvements on account of the improvements and has caused to be prepared a general plan map of the improvements, on which map is shown the frontage and location of each lot on the street or streets improved, together with the owners thereof, as far as the same can be ascertained, the plan map being marked:

CHURCH STREET

Widening – West Side Only From Lake Jeanette Road to Eva Lane

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the total cost of the improvements is hereby designated to be the amount shown thereof on said general plan map.

2. That the City Council finds as a fact that each lot abutting on the improvements has been specially benefited by the improvements in the amount assessed against such lot as shown by the preliminary assessment roll.

3. That the general plan map is hereby confirmed at 5:30 p.m., on the 6th day of June, 2000, and is hereby made the final assessment roll for the improvements.

4. That the City Clerk is hereby directed to enter on the minutes of this council and the assessment roll the date, hour and minute of the confirmation thereof and to deliver a copy of the assessment roll to the City Tax Collector.

5. That, after the expiration of 20 days from this date, the City Clerk shall cause to be published one time in some newspaper published in the city a notice that any assessments contained in the assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of 30 days.

6. That, if the owners of the lots against which the assessments have been made do not exercise their option to pay the same in cash as hereinabove provided, then the same shall be payable in five equal installments as provided in the original resolution ordering the making of the improvements, such installments to bear interest at the rate of six percent per annum from this date.

7. That the first of the installments with interest thereon shall become due and payable on the first day of September next following the date that payments may be made without interest. One subsequent installment with interest thereon shall be due and payable on the first day of September of each successive year until the assessments have been paid in full.

(Signed) Donald R. Vaughan

.....

Moving to the Consent Agenda, Mayor Holliday introduced the following ordinances as required by the Greensboro Code of Ordinances:

- Ordinance amending in the amount of \$10,000.00 State and Federal Grants Fund Budget for funding received from NC Division of Emergency Management
- Ordinance amending in the amount of \$9,670.00 State and Federal Grant Fund Budget for purchasing fitness room equipment for the Warnersville Recreation Center
- Ordinance amending in the amount of \$50,000.00 the State and Federal Grants Fund Budget to establish City of Greensboro Fire Department as a regional hazardous materials response team
- Ordinance amending in the amount of \$401,550.00 State and Federal Grant Fund Budget for NC 68/Triad Center Drive Project

After the Mayor requested a motion to approve the ordinances and resolutions listed on the Consent Agenda, Councilmember Jones moved its adoption. The motion was seconded by Councilmember Perkins; the Consent Agenda was adopted on the following roll call vote: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-95 ORDINANCE AMENDING STATE AND FEDERAL GRANTS FUND BUDGET FOR FUNDING RECEIVED FROM NC DIVISION OF EMERGENCY MANAGEMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4103-01.4140	Salaries and Wages	\$7,000
220-4103-01.5114	Software	<u>3,000</u>
TOTAL:		\$10,000

and, that this increase be financed by increasing the following State and Federal Grants Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4103-01.7100	State Grant	\$10,000

(Signed) Earl Jones

.....

00-96 ORDINANCE AMENDING STATE AND FEDERAL GRANT FUND BUDGET FOR PURCHASING
FITNESS ROOM EQUIPMENT FOR THE WARNERSVILLE RECREATION CENTER

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grant Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grant Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5055-01.6059	Capital	\$9,670

and, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-5055-01.8620	Donations	\$9,670

(Signed) Earl Jones

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00-97 ORDINANCE AMENDING THE STATE AND FEDERAL GRANTS FUND BUDGET TO ESTABLISH
CITY OF GREENSBORO FIRE DEPARTMENT AS A REGIONAL HAZARDOUS MATERIALS
RESPONSE TEAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4050-02.4730	Worker's Compensation	\$5,000
220-4050-02.5428	Contracted Medical Services	8,000
220-4050-02.5520	Training	19,000
220-4050-02.5239	Miscellaneous	<u>18,000</u>
TOTAL:		\$50,000

And, that this increase be financed by increasing the following State and Federal Grant Fund account:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4050-02.7110	State Grants	\$50,000

(Signed) Earl Jones

.....

00-98 ORDINANCE AMENDING STATE AND FEDERAL GRANT FUND BUDGET FOR NC 68/TRIAD CENTER DRIVE PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the State and Federal Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4534-01.6019	Other Improvements	\$401,550

and, that this increased be financed by increasing the following State and Federal Grants Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-4534-01.7110	State Grant	\$150,000
220-4534-01.9402	Transfer from State Highway	
220-4534-01.9403	Allocation Capital Project Fund	<u>251,550</u>
		\$401,550

(Signed) Earl Jones

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102-00 RESOLUTION AUTHORIZING MUNICIPAL AGREEMENT WITH NCDOT FOR NC-68 TRIAD CENTER DRIVE INTERSECTION IMPROVEMENTS

WHEREAS, the North Carolina Department of Transportation and the City of Greensboro propose to make certain improvements consisting of the construction of an additional left turn lane and traffic signal upgrades on north bound NC-68 at Triad Center Drive;

WHEREAS, the Agreement further provides for the Department of Transportation to reimburse the City of Greensboro up to a maximum amount of \$150,000.00 for the actual contract construction cost of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a Municipal Agreement with the Department of Transportation is hereby approved pursuant to the authority of N.C.G.S. § 160A-274 and the City Manager is hereby authorized to execute said Agreement on behalf of the City.

(Signed) Earl Jones

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103-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-14 WITH JIMMY R. LYNCH & SONS, INC. FOR WATER AND SEWER IMPROVEMENTS

WHEREAS, after due notice, bids have been received for water and sewer improvements on six projects throughout the city;

WHEREAS, Jimmy R. Lynch & Sons, Inc. a responsible bidder, has submitted the low base and alternate bid in the total amount of \$542,484.00 as general contractor for Contract No. 2000-14, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Jimmy R. Lynch & Sons, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$201,678.00 from Account No. 503-7061-01.6016 CBR 002 and \$340,806.00 from Account No. 503-7062-01.6017 CBR 002.

(Signed) Earl Jones

(A tabulation of bids for the water and sewer improvements is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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104-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1997-17 WITH CROWDER CONSTRUCTION COMPANY FOR THE TZ OSBORNE WW RECLAMATION FACILITY 30 MGD EXPANSION AND UPGRADE PHASE III, CONTRACT 3 IMPROVEMENTS

WHEREAS, the City has contracted with Crowder Construction Company to complete the TZ Osborne WW reclamation facility 30 MGD expansion and upgrade phase II, contract 3 improvements under a time and materials contract, Contract No. 1997-17;

WHEREAS, in order to secure the best possible bid for the completion of the project, the City elected to not put the contractor at risk for equipment which may have been damaged or deteriorated on the site, along with several additional repairs needed to be made by the contractor, rather than by in-house maintenance which the contractor did not include in their original bid, thereby necessitating multiple change orders in the contract totaling the amount of \$181,110.10.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Crowder Construction Company for the T Z Osborne WW Reclamation Facility 30 MGD Expansion and Upgrade Phase III, Contract 3 Improvements is hereby authorized at a total cost of \$181,110.10, payment of said additional amount to be made from Account No. 509-7056-01.

(Signed) Earl Jones

.....

105-00 RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 1999-10 WITH SHARPE BROTHERS, INC. FOR THE LAKE BRANDT/LAWNDALE DRIVE ROADWAY IMPROVEMENTS

WHEREAS, Contract No. 1999-10 with Sharpe Brothers, Inc. provides for Lake Brandt/Lawndale Drive Roadway improvements with the City committing to construct Penton Place from Lake Brandt Road to the end of the Fire Station #17 site when the developer began developing his remaining property;

WHEREAS, the developer is now ready for the construction of Penton Place which will require approximately 240 feet of 6 inch waterline, thereby necessitating a change order in the contract in the amount of \$22,248.45.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Sharpe Brothers, Inc. for the Lake Brandt/Lawndale Drive roadway improvements is hereby authorized at a total cost of \$22,248.45, payment of said additional amount to be made from Account No. 503-7061-01.6016 CBR 002.

(Signed) Earl Jones

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106-00 RESOLUTION AUTHORIZING ENCROACHMENT IN STREET RIGHT OF WAYS AT THE CORNER OF COMMERCE PLACE AND FRIENDLY AVENUE AND ALONG COMMERCE PLACE TO WEST MARKET UNITED METHODIST CHURCH

WHEREAS, West Market United Methodist Church owns certain property located at the corner of Commerce Place and Friendly Avenue and along Commerce Place and has requested permission to install brick veneer as part of their major renovation project;

WHEREAS, the brick veneer will encroach about 5 inches into the street right of ways at these two locations as shown on the attached map which is made a part hereof;

WHEREAS, in the opinion of the City Council, such encroachment will neither cause a public nuisance nor unreasonably interfere with the use of the streets and sidewalks by the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, pursuant to authority contained in Section 4.128(c) of the Charter of the City of Greensboro, West Market United Methodist Church is hereby authorized to encroach in the street right-of-ways within the above defined limits.

(Signed) Earl Jones

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107-00 RESOLUTION APPROVING AND AUTHORIZING UTILITY AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR THE I-85 BYPASS PROJECT

WHEREAS, NCDOT is currently involved in the I-85 Bypass project;

WHEREAS, the City has requested NCDOT to include water and sewer line stub-outs under the proposed roadway in order to avoid costly boring under the roadway in the future;

WHEREAS, the City of Greensboro and NCDOT have agreed to enter into a Utility Agreement whereby NCDOT performs the installation of the stub-outs in the proposed roadway and the City and County shall reimburse the State for the construction cost;

WHEREAS, NCDOT has estimated that the construction cost for this project is \$453,028.62;

WHEREAS, it is deemed in the best interest of the City to enter said Utility Agreement with NCDOT in accordance with the terms and conditions therein and such Agreement is presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a Utility Agreement with NCDOT is hereby approved and the City Manager is hereby authorized to execute said Agreement on behalf of the City with payment in the amount of \$185,000.00 to be made from Account No. 503-7061-01.6016(002) and in the amount of \$270,000.00 to be made from Account No. 503-7062-01.6017(003).

(Signed) Earl Jones

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108-00 A RESOLUTION OF THE CITY OF GREENSBORO, NORTH CAROLINA AUTHORIZING TRANSFER OF CONTROL OF THE CABLE TELEVISION FRANCHISE FROM TIME WARNER INC. TO AOL TIME WARNER INC.

WHEREAS, Time Warner Entertainment-Advance Newhouse Partnership ("Franchise"), owns, operates and maintains a cable television system ("System") in the City of Greensboro, North Carolina (the "City") pursuant to the Cable Television Franchise Agreement, dated October 24, 1994, and the Greensboro Cable Communications Regulatory Ordinance, Chapter 7 ("Cable Ordinance"); and

WHEREAS, Franchisee, as the current authorized holder of the Franchise, has advised the Franchising Authority that Time Warner Inc. has entered into a stock for stock merger agreement with America Online, Inc., which would transfer control to AOL Time Warner Inc. subject to, among other considerations, the required approval of the City with respect thereto; and

WHEREAS, the Franchise and Cable Ordinance requires that prior to such transfer, the City must grant its prior consent thereto; and

WHEREAS, Time Warner Inc. and AOL Time Warner Inc. have submitted a written Application (the "Application") requesting consent by the City to the transfer of control of the Franchisee to AOL Time Warner Inc.; and

WHEREAS, the City incurred expenses by virtue of the change of control to AOL Time Warner Inc.; and

WHEREAS, the City has determined that it is appropriate to grant its consent to the transfer of control of the Franchisee pursuant to the transaction described in the Application and ensure that the City's rights will be adequately protected through this Transfer Resolution.

NOW THEREFORE, be it resolved by the City Council of the City of Greensboro, North Carolina that the following terms and conditions govern the transfer of control:

Section 1.

- (a) The City hereby consents to the transfer of control of the Franchisee from Time Warner Inc. to AOL Time Warner Inc. pursuant to the conditions described in the Application, that such consent to transfer of control is granted subject to the following conditions all of which have been agreed to by Franchisee.
- (b) That Franchisee continues to assume all obligations and liabilities of the Franchisee under the Franchise and Cable Ordinance, this Resolution, any covenant, condition and agreement, including, without limitation, all obligations, if any, of the Franchisee as are currently required to have been performed but have not been performed.
- (c) That the transfer described in paragraph (a) of this Section 1 shall not release Franchisee from any obligations or liabilities under the Franchise or the Cable Ordinance arising prior to the consummation of the transaction.
- (d) Consent by the City to the subject transfer shall not in any way waive, diminish or otherwise affect adversely any right that the City has, may have, or may at any time or in any manner subsequently acquire, with respect to any matter, including, without limitation: the City's right to consider pre-transfer breaches in any renewal; the right of the City to require compliance with the terms of the Franchise and Cable Ordinance or any other covenant, condition or agreement; the right of the City to conduct any franchise fee audit or review and order payment of unpaid franchise fees; the right of the City to review pre-transfer compliance with the Franchise or the Cable Ordinance by Franchisee; any right the City had, or may have had to compensation or other remedies in respect to any pre-transfer breaches of the Franchise, the Cable Ordinance, or any other covenant, condition, or agreement, if the transfer or the City's consent to the transfer of control pursuant to the Application had never occurred. All such rights referenced in this paragraph (d) are expressly reserved by the City.
- (e) Franchisee agrees to comply with all lawful Federal, State, and local requirements with respect to nondiscriminatory access to Franchisee's cable system for providers of Internet access service. Franchisee acknowledges the "Memorandum of Understanding" between AOL and Time Warner on Open Access dated 2/29/00. Franchisee and the City have not waived any rights, obligations, claims, defenses or remedies regarding the City of Greensboro's authority to impose such conditions.
- (f) The transfer of control of the franchise from Time Warner Inc. and AOL Time Warner Inc. will not result in a rate increase to its customers.
- (g) Franchisee agrees that in the event that a cost of service study is used to justify the rates for basic cable service at any time in the future, the purchase price of the assets in excess of the net book value of the assets at the time of acquisition shall not be included in the determination of the cost of service or recovered through rates, in the rate base or through amortization or through any other accounting method. Records shall be maintained by the Franchisee in a manner so that the value of the assets received from the transferor with and without the allocation of the purchase price above net book value can be determined.
- (h) That Franchisee has agreed to the conditions specified in this Resolution and shall, within thirty (30) days following adoption of this Resolution, execute and deliver to the City a Transfer Agreement which enables the above conditions, in form and substance satisfactory to the City Attorney, who shall also have the City execute the Transfer Agreement.
- (i) The Franchisee agrees that it shall provide to the City a written statement within ten (10) days of the actual closing of the proposed transfer confirming that the transfer has occurred.

- (j) That control of Franchisee shall be transferred as specified in the Application within nine (9) months of the effective date of this Resolution.

Section 2. In the event of a breach or violation of any of the terms or conditions of this Transfer Resolution or any failure to comply with any term or condition of this Transfer Resolution, the City shall provide written notice thereof to the Franchisee. If such breach, violation, or failure to comply is not corrected or cured within 30 days, or such longer time as the City in its sole discretion may allow, after delivery of such written notice from the City to Franchisee, then such breach, violation, or failure shall constitute a substantial and material breach of the Franchise; and the City, without further obligation to provide notice or opportunity to cure, shall be entitled to pursue all rights and remedies available to it under the Franchise, at law, or in equity for such a breach, violation, or failure to comply. Notwithstanding the foregoing obligations and rights, any breach, violation, or failure to timely comply with paragraphs (h), (i) and (j) of Section 1 above shall entitle the City to revoke its consent to transfer of control and then, in the event of such revocation, or transfer, or attempted transfer, of the Franchise shall be deemed null, void, and of no force or effect.

Section 3. Neither this Transfer Resolution, nor any other action or omission by the City at or before the adoption of this Resolution, shall be construed to grant the consent of the City to any future transfer of control or the Franchise or the cable system, or to grant the consent of the City to any future change in ownership or control of the Franchise or of the cable system, or to mean that the consent of the City to any such future transaction is not required. The consent given by the City to the transfers pursuant to the Application is made without prejudice to, or waiver of, the City's right to fully investigate and consider Franchisee's and AOL Time Warner Inc.'s financial, technical, and legal qualifications and any other relevant considerations in relation to any future franchise renewal or transfer process.

Section 4. That the City Manager is hereby authorized and directed to execute the Transfer Agreement incorporating the provisions of this Resolution and any and all other documents necessary or appropriate to implement this Resolution, subject to prior review and approval by the City Attorney.

(Signed) Earl Jones

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Mayor Holliday introduced an ordinance levying tax on gross receipts derived from retail short-term lease or rental of motor vehicles.

After a brief explanation by the City Manager about the ordinance and resolution dealing with gross receipts tax, Councilmember Perkins moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-99 **ORDINANCE LEVYING TAX ON GROSS RECEIPTS DERIVED FROM RETAIL SHORT-TERM LEASE OR RENTAL OF MOTOR VEHICLES**

WHEREAS, the North Carolina General Assembly has ratified Senate Bill 1076, signed into law as Session Law 2000-2 (S. L. 2000-2) and effective for taxable years beginning on or after July 1, 2000; and

WHEREAS, this Session Law enacted G. S. 105-275(41), which repealed the property tax on certain vehicles leased or rented under retail short-term leases or rentals, and enacted G. S. 160A-251.1, which authorized cities to replace the lost tax revenue through the levy of a local tax on gross receipts derived from short-term leases or rentals.

NOW, THEREFORE BE IT ORDAINED, by the Greensboro City Council that the following tax is levied:

SECTION 1. Tax on Gross Receipts derived from retail short term motor vehicle leases or rentals. The City of Greensboro hereby imposes and levies a tax of one and one half percent (1 ½ %) of the gross receipts from the short-term lease or rental of vehicles at retail to the general public, as authorized by G. S. 160A-251.1.

SECTION 2. Administration. The City through the Guilford County Tax Collector will administer and collect from operators of leasing and rental entities the tax levied hereby. The County Tax Collector may promulgate additional lawful rules and regulations necessary for the enforcement, implementation and collection of the tax.

SECTION 3. Payment of Taxes and Filing of Returns. The taxes levied hereby are due and payable to the County in monthly installments on or before the fifteenth (15th) day of the month following the month in which the tax accrues. Every entity required to collect the tax shall, on or before the fifteenth (15th) day of each month, prepare and render a return to the County. The County shall design, print, and furnish to all such entities the necessary forms for filing returns and instructions to insure the full collection of the tax. These tax proceeds shall be placed in a segregated account by the collecting entity and are the property of the City. A return filed for this purpose is not a public record as defined by Section 132-1 of the North Carolina General Statutes and may not be disclosed except as provided by law.

SECTION 4. Penalties. In case of failure or refusal to file a return or pay the tax for a period of thirty (30) days after the time required for filing the return or paying the tax, there shall be an additional tax, as a penalty, of five percent (5%) of the tax due, with an additional tax of five percent (5%) for each additional month or fraction thereof until the tax is paid. The Guilford County Board of Equalization and Review, for good cause shown, may consider appeals and adjust any penalty or additional tax imposed hereunder.

SECTION 5. Misdemeanor for Willful Violation. Any person, firm, corporation or association who willfully attempts in any manner to evade a tax imposed herein or who willfully fails to pay the tax or make and file a return shall, in addition to the penalties provide by law and herein, be guilty of a misdemeanor punishable as provided by law.

SECTION 6. Delegation of Powers. The County Tax Collector shall exercise the powers authorized to the City by G. S. 160A-215.1 (f) with the County Board of Equalization and Review exercising the powers of the Tax Review Board.

SECTION 7. Effective Date. This ordinance shall become effective July 1, 2000.

(Signed) Robert V. Perkins

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The Mayor introduced a resolution authorizing agreement with Guilford County for the collection of Gross Receipts Tax on certain short-term leased or rented vehicles.

Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

109-00 RESOLUTION AUTHORIZING AGREEMENT WITH GUILFORD COUNTY FOR THE
COLLECTION OF GROSS RECEIPTS TAX ON CERTAIN SHORT-TERM LEASED OR RENTED
VEHICLES

WHEREAS, on May 17, 2000 the General Assembly enacted legislation that repealed the authority of local governments to levy ad valorem property taxes on certain short-term leased or rented vehicles;

WHEREAS, this legislation also authorized replacement revenue in the form of a gross receipts tax on those vehicles with a maximum tax rate of 1.5%, effective July 1, 2000;

WHEREAS, if levied, the gross receipts tax would be collected by the County Tax Collector and remitted to the City, similar to the way in which the hotel/motel tax is administered;

WHEREAS, the County Tax Collector has agreed to enter into an Agreement with the City for the collection of the tax in accordance with rules and regulations of the County Tax Office and the County Board of Equalization and Review;

WHEREAS, the County will charge the City an administrative fee of 1% of the tax revenues collected.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the City Manager is hereby authorized to execute said Agreement with Guilford County for the collection of gross receipts tax on behalf of the City as outlined above.

(Signed) Sandy Carmany

.....

Mayor Holliday introduced an ordinance amending Chapter 8 of the Greensboro Code of Ordinances with respect to Cemeteries. The City Manager explained that agenda items 29-32 were required for the adjustment of fees, that item 33 would establish the annual operating budget for FY 2000-01, and items 34-42 were items related to the adoption of the annual budget.

Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember D. Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-100 ORDINANCE AMENDING CHAPTER 8

AN ORDINANCE AMENDING CHAPTER 8 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO CEMETERIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 8-3 of the Greensboro Code of Ordinances is hereby amended to read as follows:

(a) Maplewood Cemetery. The price per grave space anywhere in Maplewood Cemetery is hereby fixed at seven hundred eighty dollars (\$780.00) per grave space except for these areas described in subsection (d) and (e) of this section.

(b) Green Hill Cemetery. The price per grave space anywhere in Green Hill Cemetery is hereby fixed at eight hundred fifty-five dollars (\$855.00) per grave space except for those areas described in subsection (e) of this section.

(c) Forest Lawn Cemetery. The price per grave space anywhere in Forest Lawn Cemetery except in mausoleum sections is hereby fixed at eight hundred fifty-five dollars (\$855.00) per grave space except for those described in subsection (d) and (e) of this section. In mausoleum sections the price per lot is hereby fixed at one hundred dollars (\$100.00) per front foot.

Section 2: That Section 8-4 of the Greensboro Code of Ordinances is hereby amended to read as follows:

(b) The fee for digging a grave in any of the city cemeteries when funeral services are scheduled on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at eight hundred twenty-five dollars (\$825.00) per grave for adults and five hundred twenty-five dollars (\$525.00) for each child's grave. The fee for digging a grave for interring urns of ashes on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at four hundred twenty-five dollars (\$425.00) per grave.

Section 3: That this ordinance shall become effective on and after July 1, 2000.

Section 4: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

.....

After the Mayor introduced an ordinance amending Chapter 10 of the Greensboro Code of Ordinances with respect to Fire Prevention and Protection, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-101 ORDINANCE AMENDING CHAPTER 10

AN ORDINANCE AMENDING CHAPTER 10 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO PLAN REVIEWS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 10-8 of the Greensboro Code of Ordinances is hereby amended to read as follow:

Charges for plan review on behalf of the city by the fire prevention bureau shall be based upon the following schedule:

<i>Each building, for every 5,000 sq. ft.</i>	
<i>Or any part thereof.....</i>	<i>\$30.00</i>
<i>Sprinkler system.....</i>	<i>\$45.00</i>
<i>Standpipe.....</i>	<i>\$45.00</i>
<i>Fire alarm system.....</i>	<i>\$45.00</i>
<i>Spray Booth/area.....</i>	<i>\$30.00</i>
<i>Storage room (flammables, combustibles, toxics, etc.)...</i>	<i>\$30.00</i>
<i>Compressed gas systems.....</i>	<i>\$30.00</i>
<i>Automatic extinguishing system (not Covered elsewhere).....</i>	<i>\$30.00</i>
<i>Tank (aboveground, below ground) per tank.....</i>	<i>\$30.00</i>
<i>Industrial process.....</i>	<i>\$30.00</i>
<i>LP gas system.....</i>	<i>\$30.00</i>
<i>Private fire hydrants (where not part of sprinkler installation).....</i>	<i>\$30.00</i>
<i>Miscellaneous plans (not covered elsewhere).....</i>	<i>\$30.00</i>

Section 2. That Section. 10-5 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (a) to read as follows:

“(a) Any person, firm, corporation or agent who shall violate any provision of this chapter shall be subject to a civil penalty of fifty dollars (\$50.00). Any person, firm, corporation or agent who shall violate any technical provisions of the Fire Prevention Code which creates an imminent safety to life hazards and/or which may create delays in the exiting of the building’s occupant shall be subject to a civil penalty of one hundred fifty dollars (\$150.00). No penalty shall be assessed until the person alleged to be in violation has been notified of the violation by certified mail, return receipt requested, or by personal service (inspection). Any fire inspection officer who has a reason to believe that a violation of this chapter or the aforesaid technical provisions of the Fire Prevention Code has been committed shall either send a civil penalty citation to the violator by certified mail or personally deliver such citation to the violator stating the nature of the violation, the penalty to be imposed upon the violator, and shall direct the violator to pay the penalty to the city tax collector’s office within fourteen (14) days of receipt. Also, the owner, tenant, or occupant of any building or land or part thereof and any architect, builder, contractor, agent or any other person who participates or acts in concert, assists, directs, creates, or maintains any condition that is volatile of the requirements of this chapter or the aforesaid technical provisions of the Fire Prevention Code, may be held responsible for the violation and subject to penalties and remedies herein provided.”

Section 3. That Section. 10-5 of the Greensboro Code of Ordinances is hereby amended by rewriting subsection (b) to read as follows:

“(b) For each day the violation is not corrected, the violator will be guilty of an additional and separate offense and subject to additional civil penalty.”

Section 4. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective immediately upon its adoption.

(Signed) Yvonne J. Johnson

.....

Mayor Holliday introduced an ordinance amending Chapter 25 of the Greensboro Code of Ordinances with respect to Solid Waste.

After a brief explanation by the City Manager, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-102 ORDINANCE AMENDING CHAPTER 25

AN ORDINANCE AMENDING CHAPTER 25 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SOLID WASTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 25-21 of the Greensboro Code of Ordinances is hereby amended to read as follows:

- (a) Automated container program. There is hereby established a monthly charge for the availability for collection services to remove and dispose of any one or all discarded wastes in any city approved and authorized container or receptacle, other than stationary containers, or other city approved collection services for public or private streets. The charge shall be four dollars (\$4.00) per month for each location serving a property owner or tenant. This fee shall become effective on and after January 1, 2001 and is billed in advance.

- (b) Stationary container program. There is hereby established a charge for collection of wet and dry garbage from stationary containers, said charge shall be eighty-six dollars and seventy cents (\$86.70) per month for each stationary container. This fee shall become effective on and after January 1, 2001.

Section 2: That this ordinance shall become effective upon publication.

Section 3: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Earl Jones

.....

Mayor Holliday introduced an ordinance amending Chapter 29 of the Greensboro Code of Ordinances with respect to Water, Sewers and Waste Disposal.

After an explanation by the City Manager and brief discussion, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-103 ORDINANCE AMENDING CHAPTER 29

AN ORDINANCE AMENDING CHAPTER 29 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO WATER RESOURCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 29-48(b) of the Greensboro Code of Ordinances is hereby amended to read as follows:

Non-residential water charges. All monthly billed (inside) accounts not described in (a) above or (c) below shall be billed a billing and availability charge as follows:

<i>Size of Meter</i>	<i>Billing and Availability Charge</i>
5/8"	\$2.30
3/4"	3.45
1"	5.75
1 1/4"	7.48
1 1/2"	11.50
2"	18.40
3"	36.80
4"	57.50
6"	115.00
8"	184.00

Consumption of water shall be billed at one dollar and forty cents (\$1.40) per unit for all units up to twenty thousand (20,000) units per month; all units over twenty thousand (20,000) units per month shall be billed at sixty-nine cents (\$0.69) per unit.

Section 2: That Section 29-49(b) of the Greensboro Code of Ordinances is hereby amended to read as follows:

Non-residential water charges. All outside accounts not described in (a) above or (c) below shall be billed a billing and availability charge as follows:

<i>Size of Meter</i>	<i>Billing and Availability Charge</i>
5/8"	\$4.60
3/4"	6.90
1"	11.50
1 1/4"	14.96
1 1/2"	23.00
2"	36.80
3"	73.60
4"	115.00
6"	230.00
8"	368.00

Consumption of water shall be billed at two dollars and eighty cents (\$2.80) per unit for all units up to twenty thousand (20,000) units per month; all units over twenty thousand (20,000) units per month shall be billed at one dollar and thirty-eight cents (\$1.38) per unit.

Section 3: That this ordinance shall become effective on and after January 1, 2001.

Section 4: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Earl Jones

.....

Mayor Holliday introduced an ordinance adopting the FY 2000-01 Annual Operating Budget.

After a brief explanation by the City Manager, Council discussed at length details with regard to legal budgetary requirements and provisions related to the Transit tax and funding for housing. Councilmember Perkins spoke to strategies that could be used to provide additional revenues for housing. After he offered that city-owned properties could be sold to provide revenues, Andy Scott, Housing and Community Development Director, explained the process used to market these City-owned properties and the potential impact Councilmember Perkins' suggestion could have on the existing City process and on certain neighborhoods throughout the city.

Expressing his opinion that the City should slow down its efforts to increase revenue and expenditures, Councilmember Phillips expressed concern with yearly funding provided to certain groups; he offered suggestions as to the process that should be used to equitably address each funding request considered by Council. Reiterating his opinion regarding the disposition of the cable franchise fees, Councilmember Phillips moved that the cable franchise fee be reduced from 5% to 3% and that \$750,000 of the \$3 million being set aside in reserve for the future closure of the landfill be used to cover the tax shortfall. The motion was seconded by Councilmember D. Vaughan.

After lengthy discussion with the Manager and other staff with regard to the rationale for building a reserve to cover the cost of the future landfill closing and the impact this action would have on that process, Councilmember Jones moved to call the question. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of Council.

Councilmember Phillips' motion was thereupon DEFEATED on the following roll call vote: Ayes: Phillips, D. Vaughan and N. Vaughan. Noes: Burroughs-White, Carmany, Holliday, Johnson, Jones and Perkins.

Councilmember Jones moved adoption of the ordinance establishing the FY 2000-01 Annual Operating budget. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins and D. Vaughan. Noes: Phillips and N. Vaughan.

AN ORDINANCE ADOPTING THE 2000-01 ANNUAL BUDGET OF THE CITY OF
GREENSBORO

Be it ordained by the City Council of the City of Greensboro that for the purpose of financing expenditures of the City of Greensboro, North Carolina, there is hereby appropriated from taxes and other revenue collectible the following funds for operation of City government and its activities for the Fiscal Year 2000-01 beginning July 1, 2000 and ending June 30, 2001.

Section 1. It is estimated that the following expenditures are necessary for current operating expenditures and debt service payments for the City of Greensboro for the Fiscal Year 2000-01, beginning July 1, 2000 and ending June 30, 2001.

General Fund

Current Operating Expense	167,355,580	
Transfer to Debt Service	<u>12,405,260</u>	\$179,760,840

Street & Sidewalk Revolving Fund

Current Operating Expense	2,722,500
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State Highway Allocation Fund (Powell Bill)

Current Operating Expense	9,125,000
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Stormwater Management Fund

Current Operating Expense	9,493,870
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Cemetery Operating Fund

Current Operating Expense	642,305
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Hotel/Motel Occupancy Tax Fund

Current Operating Expense	3,287,140
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Special Tax Districts Fund

Current Operating Expense	33,500
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Housing Partnership Revolving Fund

Current Operating Expense	2,863,335
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Debt Service Fund

Debt Service	18,508,810
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Water & Sewer Enterprise Fund

Current Operating Expense	43,308,405	
Debt Service	<u>8,543,020</u>	51,851,425

Water & Sewer Capital Reserve Fund

Current Operating Expense	10,000,000
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War Memorial Coliseum Complex Fund

Current Operating Expense	13,988,105
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Bryan Park Enterprise Fund

Current Operating Expense	2,602,240
<i>Parking Meter Enterprise Fund</i>	
Current Operating Expense	355,470
<i>Davie Street Parking Facility Fund</i>	
Current Operating Expense	451,755
<i>Parking Facilities Operating Fund</i>	
Current Operating Expense	3,071,450
<i>Solid Waste Management System Fund</i>	
Current Operating Expense	22,135,195
<i>Solid Waste Capital Reserve Fund</i>	
Current Operating Expense	3,000,000
<i>Greensboro Transit Authority Fund</i>	
Current Operating Expense	8,324,900
<i>Equipment Services Fund</i>	
Current Operating Expense	14,401,755
<i>Technical Services Fund</i>	
Current Operating Expense	2,627,330
<i>City/County Telecommunications Fund</i>	
Current Operating Expense	2,107,060
<i>Graphic Services Fund</i>	
Current Operating Expense	815,190
<i>Employee Insurance Fund</i>	
Current Operating Expense	15,485,390
<i>General Insurance Fund</i>	
Current Operating Expense	1,936,595
<i>Capital Leasing Fund</i>	
Current Operating Expense	<u>13,770,000</u>
Total	\$393,361,160
Less Total Transfers and Internal Charges	<u>(83,958,605)</u>
Net Total	\$309,402,555

Section 2. It is estimated that the following revenues will be available during the Fiscal Year beginning July 1, 2000 and ending June 30, 2001 to meet the foregoing appropriations:

<i>General Fund</i>	
Property Tax	\$90,835,500
Sales Tax	29,442,450
Franchise Tax	10,749,440

State Collected Local Revenues	8,920,290	
ABC Store Revenue	2,093,600	
Privilege License	3,030,635	
All Other	25,823,675	
Appropriated Fund Balance	<u>8,865,250</u>	\$179,760,840
<i>Street & Sidewalk Revolving Fund</i>		
Assessments/Other Revenue	476,000	
Motor Vehicle License	1,600,000	
Appropriated Fund Balance	<u>646,500</u>	2,722,500
<i>State Highway Allocation Fund (Powell Bill)</i>		
State Grant	6,400,000	
Other Revenue	1,024,200	
Appropriated Fund Balance	<u>1,700,800</u>	9,125,000
<i>Stormwater Management Fund</i>		
Stormwater Utility Fees	6,600,000	
Other Revenue	690,360	
Appropriated Fund Balance	<u>2,203,510</u>	9,493,870
<i>Cemetery Operating Fund</i>		
Lot Sales	156,700	
Cemetery Services	231,700	
Other Sources	80,000	
Transfer from General Fund	<u>173,905</u>	642,305
<i>Hotel/Motel Occupancy Fund</i>		
Other Revenue	66,300	
Hotel/Motel Tax	2,818,410	
Appropriated Fund Balance	<u>402,430</u>	3,287,140
<i>Special Tax Districts Fund</i>		
Property Taxes	<u>33,500</u>	33,500
<i>Housing Partnership Revolving Fund</i>		
Transfer from the General Fund	2,210,555	
Other Revenue	363,845	
Appropriated Fund Balance	<u>288,935</u>	2,863,335
<u>Debt Service Fund</u>		
Other Revenue	6,041,000	
Transfer from the General Fund	11,955,260	
Appropriated Fund Balance	<u>512,550</u>	18,508,810
<i>Water Resources Enterprise Fund</i>		
Water & Sewer Charges	45,990,465	
Assessments	400,000	
Other Revenue	1,322,500	
Capacity Use Fees	2,900,000	
Industrial Waste Control	700,000	
Appropriated Fund Balance	<u>538,460</u>	51,851,425
<i>Water Resources Capital Reserve Fund</i>		

Other Revenue	500,000	
Transfer From Water & Sewer	3,300,000	
Appropriated Fund Balance	<u>6,200,000</u>	10,000,000
<i>War Memorial Coliseum Complex Fund</i>		
Concessions	4,283,745	
Admissions and Charges	2,100,650	
Transfer from General Fund	1,500,000	
Other Revenue	<u>6,103,710</u>	13,988,105
<i>Bryan Park Enterprise Fund</i>		
Golf Fees	2,170,530	
Transfer from General Fund	415,210	
Other Revenue	<u>16,500</u>	2,602,240
<i>Parking Meter Enterprise Fund</i>		
Parking Fees	305,970	
Other Revenue	<u>49,500</u>	355,470
<i>Davie Street Parking Facility Fund</i>		
Parking Fees	257,500	
Other Revenue	9,500	
Appropriated Fund Balance	<u>184,755</u>	451,755
<i>Parking Facilities Operating Fund</i>		
Parking Fees	1,538,000	
Transfer From General Fund	981,810	
Other Revenue	57,500	
Transfer From Parking Meter/Davie Street Deck Funds	249,830	
Appropriated Fund Balance	<u>244,310</u>	3,071,450
<i>Solid Waste Management System</i>		
Solid Waste Disposal Fees	5,320,000	
Transfer from General Fund	7,982,335	
Collection Fees	6,375,010	
Other Revenue	703,100	
Appropriated Fund Balance	<u>1,754,750</u>	22,135,195
<i>Solid Waste Capital Reserve Fund</i>		
Transfer from Solid Waste	3,000,000	3,000,000
<i>Greensboro Area Transit Authority Fund</i>		
Property Taxes	3,234,500	
State and Federal Grants	2,341,495	
Transportation Fares	954,900	
Duke Power Contribution	1,361,760	
Other Revenue	292,260	
Appropriated Fund Balance	<u>139,985</u>	8,324,900
<u>Equipment Services Fund</u>		
Automotive Services	12,400,000	
Other Revenue	749,415	
Appropriated Fund Balance	<u>1,252,340</u>	14,401,755

Technical Services Fund

Radio Charges	2,139,310	
Other Revenue	<u>488,020</u>	2,627,330

City/County Telecommunications Service Fund

Telephone Services	1,953,640	
Other Revenue	<u>153,420</u>	2,107,060

Graphic Services Fund

Printing Services	<u>815,190</u>	815,190
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Employee Insurance Fund

Premiums	15,124,490	
Transfer from General Fund	13,700	
Other Revenue	<u>347,200</u>	15,485,390

General Insurance Fund

Premiums	1,363,180	
Transfer from General Fund	175,000	
Other Revenue	394,000	
Appropriated Fund Balance	<u>4,415</u>	1,936,595

Capital Leasing Fund

Internal Charges	7,670,000	
Capital Lease	<u>6,100,000</u>	<u>13,770,000</u>

Total **\$393,361,160**

Less Total Transfers and Internal Charges (83,958,605)

Net Total **\$309,402,555**

Section 3. There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property, as listed for taxes as of January 1, 2000, for the purpose of raising the revenue from Current Year's Property Tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations:

- | | |
|--|--------------|
| a) For the payment of general operating expenses and capital expenditures of the City including the payment of principal and interest of the bonded indebtedness of the City of Greensboro | .5625 |
| b) For the payment of general operating expenses and capital expenditures associated with the improvement of transit operations within the City of Greensboro | <u>.0200</u> |
| Total | .5825 |

Such rates of tax are based on an estimated total appraised valuation of property for purposes of taxation of \$16,175,000,000 and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

Section 4. There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property in the following special tax districts, as listed for taxes as of January 1, 2000, for the purposes as set for in the Special Historic Districts as authorized by City Council:

- | | |
|--|-----|
| a) College Hill Historic District for improvements as stated in the Special Historic District Plan | .05 |
|--|-----|

- b) Charles B. Aycock Historic District for improvements as stated in the Special Historic District Plan

.05

Such rates of tax are based on the estimated total appraised valuations in each Historic District and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

Section 5. Appropriations hereinabove authorized and made for the purpose other than necessary governmental functions are hereby made from revenue collectible from miscellaneous revenues and sources other than taxes. Appropriations authorized for Cultural Contributions and Chamber of Commerce Contributions are hereby made from revenues collectible from sources other than taxes.

Section 6. Appropriations hereinabove authorized and made for water and sewer operating fund, water and sewer current operating expense and debt service, are made from revenue collectible for the operation of the combined water and sewer systems and miscellaneous revenue.

Section 7. Appropriations hereinabove authorized and made shall have the amounts of the outstanding purchase orders and unearned portion of contracts at June 30, 2000 (rounded to the nearest five dollars) added to each appropriation as it applies in order to properly account for the payment against the fiscal year in which it is paid.

Section 8. Copies of this ordinance shall be furnished to the Budget and Evaluation Director, Finance Director and the City Clerk within five days after adoption to be kept on file by them for their direction in the disbursement of City funds.

Section 9. This ordinance shall be effective from and after the date of July 1, 2000.

(Signed) Earl Jones

.....

After Mayor Holliday introduced an ordinance adopting the FY 2000-2006 Capital Improvements Program, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

110-00 RESOLUTION ADOPTING SIX YEAR CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, capital improvements programming is a comprehensive approach to improving social and physical conditions in a governmental jurisdiction by evaluation of growth and development trends;

WHEREAS, capital improvements programming serves as a basic framework for scheduling public improvements and requires the assistance of government officials and agencies, as well as community residents;

WHEREAS, a report entitled *2000-2006 Capital Improvements Program* has been prepared;

WHEREAS, after conduct of a public hearing and resulting review and discussion, the Planning Board recommends adoption of the *2000-2006 Capital Improvements Program*;

WHEREAS, the report provides a comprehensive listing of needed public improvements and related financial resources, indicates estimated future revenues and operating expenditures, illustrates the importance of relating the City's comprehensive plans to its fiscal capability and provides recommendations for scheduling each public improvement project, while estimating planning, design and development costs

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council recognizes the capital improvements programming process as the translation of community goals and objectives into needed physical facilities which are essential to residential, business, institutional and leisure activities, and

2. That the City Council does hereby adopt the report entitled *Capital Improvements Program 2000-06*. Following is an expense summary by service category and related financing as is included in the FY 99-05 Capital Improvements Program:

Expenditures

Public Safety	\$39,033,525
Transportation	145,032,800
Economic & Community Dev.	48,570,060
Environmental Protection	134,528,980
Culture and Recreation	47,114,915
General Government	<u>14,958,525</u>
	\$429,238,805

Financing

General Fund	\$10,790,660
Enterprise Funds	75,635,325
Street and Sidewalk Funds	8,295,000
Powell Bill/State Road Funds	36,501,280
Authorized GO Bonds	36,059,500
GO Bonds to be Authorized	148,124,700
Revenue Bonds	60,759,935
Grants/Other Rev Sources	<u>53,072,405</u>
	\$429,238,805

(Signed) Earl Jones

(A copy of the six year capital improvements program is filed in Exhibit Drawer N, Exhibit Number 10, which is hereby referred to and made a part of these minutes.)

.....

Mayor Holliday introduced an ordinance establishing in the amount of \$1,161,079 the FY 00-01 budget for the Greensboro/High Point/Guilford County Job Training Consortium.

Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-105 ORDINANCE ESTABLISHING THE FY 00-01 GRANT PROJECT BUDGET
GREENSBORO/HIGH POINT/GUILFORD COUNTY JOB TRAINING CONSORTIUM

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year and to permit the use of continuing appropriations of the FY 00-01 Workforce Investment Act Grant and to properly account for such usage, it is deemed in the best interest of the City of Greensboro to establish, by ordinance, a special FY 00-01 grant project for the Workforce Investment Act Grant with revenues and expenditures being specifically defined as is shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for the FY 00-01 Workforce Investment Act Grant be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
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Adult Program	\$342,427	
Youth Program	345,299	
Dislocated Worker Program	272,013	
NC Employment & Training Grant	86,973	
Program Administration	114,367	
Federal & State Grants	_____	<u>\$1,161,079</u>
TOTAL	\$1,161,079	\$1,161,079

2. AND THAT, the expense and revenue estimates here-in-above authorized and made for the FY 00-01 Workforce Investment Act Project shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

(Signed) Sandy Carmany

.....

After the Mayor introduced an ordinance establishing in the amount of \$2,600,000 the FY 00-01 budget for the Community Development Block Grant, Councilmember Johnson moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-106 ORDINANCE ESTABLISHING FY 00-01 GRANT PROJECT BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for Community Development Block Grant FY 00-01, it is deemed in the best interest of the City to establish a special grant project ordinance for Community Development Block Grant FY 00-01, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for Community Development Block Grant FY 00-01 be established and appropriated for the life of the project as follows:

Description	Estimated Expenditures	Estimated Revenues
CDBG Administration & Planning	\$450,000	
Fair Housing Administration	18,500	
M/WBE Training	5,000	
Arlington Park Target Area	125,000	
Asheboro Target Area	125,000	
Benjamin Benson Target Area	10,000	
Eastside Park Target Area	120,000	
Rosewood Target Area	30,000	

Citywide Repair	600,000
Section 108 Loan Guarantee Payment	345,000
Emergency Shelter Assistance	148,720
Gate City CDC's Construction Trades Program	50,000
Greensboro Women's Club	47,000
Magnolia House Motel, Inc.	50,000
Southeast Economic Developments	75,000
East Market St. Development Corporation	45,000
Gate City CDC Pre-development	12,000
Homeownership Assistance	<u>343,780</u>

Total \$2,600,000

Governmental Grant	\$1,957,000
Program Income	593,000
Reprogrammed Funds	<u>50,000</u>

Total \$2,600,000

(Signed) Yvonne J. Johnson

.....

Mayor Holliday introduced an ordinance establishing in the amount of \$1,796,370 the FY 00-01 budget for the HOME Grant.

Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-107 ORDINANCE ESTABLISHING THE FY 00-01 HOME PROGRAM GRANT PROJECT BUDGET FOR THE GREENSBORO/GUILFORD/HIGH POINT/BURLINGTON/ALAMANCE HOUSING CONSORTIUM

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990, authorizes contiguous units of local government to form consortia in order to receive HOME funding as one jurisdiction;

AND WHEREAS, the City of Greensboro, the City of High Point and Guilford County formed a HOME Consortium and subsequently added the City of Burlington and Alamance County;

AND WHEREAS, State Statutes require pre-authorization of the expenditure of Federal Grant Funds by the Governing Body having jurisdiction over and responsibility for said funds;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Grant Project Budget for the FY 00-01 HOME Program Grant be established and appropriated for the life of the project as follows:

Description	Estimated <u>Expenditures</u>	Estimated <u>Revenues</u>
<u>Greensboro</u>		
Hope VI Housing Development	\$385,000	
Multi-Family Housing Development	393,680	
Non-Profit Single Family Housing Development	79,050	
Administration	<u>90,000</u>	

Total Greensboro	\$947,730
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Guilford County

Site Development Assistance	\$127,296
Administration	<u>14,144</u>

Total Guilford County	\$141,440
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High Point

First-time Homebuyer Assistance	\$145,810
CHDO New Housing Development	63,650
West Macedonia Land Acquisition	200,000
Administration	<u>14,860</u>

Total High Point	\$424,320
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Description	Estimated Expenditures	Estimated Revenues
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Burlington

Homebuyers Assistance	\$12,000
Owner-Occupied Housing Rehabilitation	74,000
CHDO Project Assistance	49,172
Relocation	3,862
Rental Housing Rehabilitation	35,998
Administration	<u>19,448</u>

Total Burlington	\$194,480
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Alamance County

Homeowner Rehabilitation	\$64,000
CHDO Set-aside	13,260
Relocation	2,300
Administration	<u>8,840</u>

Total Alamance County	\$88,400
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2000-2001 HOME Grant	\$1,766,000
Program Income	<u>30,370</u>

Total Consortium	\$1,796,370	\$1,796,370
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(Signed) Donald R. Vaughan

.....

The Mayor introduced an ordinance establishing in the amount of \$20,265 the FY 00-01 budget for KIDS, Inc.

After brief discussion, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-108 ORDINANCE ESTABLISHING FY 00-01 GRANT PROJECT BUDGET FOR KIDS, INC. DAY CARE PROJECT

WHEREAS, the Local Government and Fiscal Control Act, as amended, provides for grant budgeting pursuant to G. S. 159-13.2 and as an alternative to the annual budgeting of grant project funds and;

WHEREAS, in order to alleviate the requirement to re-authorize unused appropriations from fiscal year to fiscal year and to permit the continuing use of residual appropriations to underwrite costs that are attributable to KIDS, INC. project activities, it is deemed in the best interest of the City of Greensboro and KIDS, INC. to establish a special FY 00-01 grant project budget for KIDS, INC., with revenue and expenditures being authorized as shown below:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the FY 00-01 grant project budget for KIDS, INC. be established and appropriated for the life of the project as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
212-2031-01.5121	Heat & Electricity	\$8,200	
212-2031-01.5131	Water & Sewer Utility	600	
212-2031-01.5141	Stormwater Fee	100	
212-2031-01.5422	Contract Maint of Buildings	4,000	
212-2031-01.5613	Maint & Repair Buildings	3,900	
212-2031-01.5710	Insurance Premiums	200	
212-2031-01.5990	Contingency	3,265	
212-2030-01.7801	Rent-Real Estate	_____	<u>\$20,265</u>
Total		\$20,265	\$20,265

(Signed) Earl Jones

.....

After Mayor Holliday introduced an ordinance amending in the amount of \$925,000 the Street and Sidewalk Capital Project Fund, Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote:

00-109 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 00-01 STREET AND SIDEWALK CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Street and Sidewalk Capital Projects to be undertaken in FY 00-01;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for Street and Sidewalk Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
401-6001-01.6014(003)	Street Construction	\$500,000	
401-6001-01.6012(002)	Land Right-of Way	100,000	
401-6001-01.9201	Transfer From Street and Sidewalk Fund		\$600,000
401-6002-01.6015(002)	Sidewalk Construction	250,000	
401-6002-01.9201	Transfer From Street and Sidewalk Fund		250,000
401-6003-01.6019 (002)	Other Improvements	75,000	
401-6003.01.9201	Transfer From Street and Sidewalk Fund	_____	<u>75,000</u>
	Total	\$925,000	\$925,000

(Signed) Claudette Burroughs-White

.....

Mayor Holliday introduced an ordinance amending in the amount of \$3,425,000 the State Highway Allocation Capital Project Fund.

Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-110 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 00-01 STATE HIGHWAY ALLOCATION CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for State Highway Allocation Capital Projects to be undertaken in FY 00-01;

AND WHEREAS, the revenues and expenditures show below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for State Highway Allocation Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
402-4531-01.6012(007)	Land Right-of-Way	\$400,000	
402-4531-01.6014(008)	Street Construction	1,600,000	
402-4531-01.9202	Transfer From State Highway		

	Allocation Fund		\$2,000,000
402-6001-01.6012(001)	Land Right-of-Way	150,000	
402-6001-01.6014(004)	Street Construction	750,000	
402-6001-01.9202	Transfer From State Highway Allocation Fund		900,000
402-6002-01.6015 (001)	Sidewalk Construction	450,000	
402-6002-01.9202	Transfer From State Highway Allocation Fund		450,000
402-6003-01.6019(002)	Other Improvements	75,000	
402-6003-01.9202	Transfer From State Highway Allocation Fund		<u>75,000</u>
Total	\$3,425,000	\$3,425,000	

(Signed) Donald R. Vaughan

.....

After the Mayor introduced an ordinance amending in the amount of \$3,250,000 the Water Resources Capital Improvements Fund, Councilmember Carmany moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-111 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 00-01 WATER RESOURCES CAPITAL IMPROVEMENTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Water Resources Capital Projects to be undertaken in FY 00-01;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for General Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
503-7061-01.6012(003)	Land	\$100,000	
503-7061-01.6016(005)	Water Lines	\$1,000,000	
503-7062-01.6012(004)	Land	\$200,000	
503-7062-01.6017(005)	Sewer Lines	\$750,000	
503-7062-01.6017(006)	Sewer Lines Rehabilitation	\$1,200,000	
503-7061-01.9501	Transfer From Water Res Oper Fund		\$1,100,000
503-7062-01.9501	Transfer From Water Res Oper Fund		\$2,150,000

Total	\$3,250,000	\$3,250,000
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(Signed) Sandy Carmany

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The Mayor introduced an ordinance amending in the amount of \$2,542,000 the General Capital Project Fund.

After brief discussion, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-112 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 00-01 GENERAL FUND
CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for General Fund Capital Projects to be undertaken in FY 00-01;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for General Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
410-5002-01.6011	Land	\$ 200,000	
410-5002-03.6019	Other Improvements	80,000	
410-5003-01.6019	Other Improvements	1,254,500	
410-2003-01.6019	Other Improvements	60,325	
410-2503-01.6019	Other Improvements	447,175	
410-4003-01.6013	Buildings	<u>500,000</u>	
410-0000-00.9101	Transfer From General Fund		<u>\$2,542,000</u>
Total		\$2,542,000	\$2,542,000

(Signed) Earl Jones

.....

After Mayor Holliday requested a motion to approve the FY 2000-2001 Convention & Visitors Bureau Annual Budget, Councilmember Johnson moved that Council approve the Budget. The motion was seconded by Councilmember Carmany; the motion was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

(A copy of the FY 2000-01 Convention & Visitors Bureau Annual Budget is filed in Exhibit Drawer N, Exhibit Number 10, which is hereby referred to and made a part of these minutes.)

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The Mayor declared a recess at 7:30 p.m.

The meeting reconvened at 7:44 with all members of Council present.

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Councilmember Johnson advised that because City funding allocated to One Step Further did not provide any portion of her salary, she was legally required to vote on the annual budget. The City Attorney confirmed that this opinion had been received from the staff of the Institute of Government in Chapel Hill, NC.

.....

After Mayor Holliday introduced a resolution authorizing an increase in the number of Certificates of Convenience and Necessity for taxicabs and an increase in their processing fee issued by the Police Department, the Manager briefly explained that this action would increase the number of certificates from 135 to 185 and increase the processing fee.

Adil El-Boshra, residing at 109 South Lyndon Street #4; Charles Jones, residing at #3 Charity Court; James Clark, residing at 4228 Romaine Street; Jerry McCall, residing at 516 West Main Street, Jamestown, NC; Dennis Davis, no address provided; Hussein A. Badauir, residing at 1641-B Glenside Drive; Roderick Jessup, residing at 4311 Trinity Avenue; and Larry Goins, residing at 232 Webster Road; spoke in support of an increase in the number of Certificates of Convenience and Necessity. Some of the speakers supported the addition of a limited number of certificates; a number of the individuals expressed concern about the criteria that would be used for the distribution of available certificates. They spoke to the operation of the taxicab industry in Greensboro and to their employment in this business, voiced opposition to a monopoly on certificates, and stated they believed additional certificates were needed to accommodate the growing need in Greensboro for quality taxi service.

Roger Williamson, residing at 2708 Phillips Avenue, stated he believed the number of certificates available was sufficient but certificate holders should be allowed to sell the certificates they had received.

Police Chief Robert White spoke to the process used by his department to issue certificates and regulate the taxicab industry in Greensboro. The Chief advised that Greensboro currently had 135 Certificates of Convenience and Necessity and 300 taxicab operators.

Council discussed at length their opinions and concerns with respect to the overall taxicab industry operation in Greensboro; i.e., the timeframe in which changes to taxicab regulations had been approved by Council, the impact a significant increase in Certificates of Convenience and Necessity could have on Police Department staff, etc. Further discussion was held with respect to policies in place which addressed the operation of Greensboro taxis at the Piedmont Triad International Airport and in other cities, the code requirements that must be met prior to the operation of a taxicab in Greensboro, the possibility that the existing policy was not equitable to everyone and the belief that Greensboro should not limit the number of certificates to allow a level playing field for all individuals interested in owning/driving a taxicab.

Councilmember D. Vaughan moved that 1) the Greensboro Police Department be authorized to issue an unlimited number of Certificates of Convenience and Necessity for Taxicabs to anyone qualified in accordance with the Greensboro Code of Ordinances requirements and upon payment of appropriate fees and 2) that Council adopt the resolution, as amended. The motion was seconded by Councilmember Perkins and adopted on the following roll

call vote: Ayes: Burroughs-White, Holliday, Perkins, Vaughan and Vaughan. Noes: Carmany, Johnson, Jones and Phillips.

111-00 RESOLUTION AUTHORIZING AN INCREASE IN THE NUMBER OF CERTIFICATES OF CONVENIENCE AND NECESSITY FOR TAXICABS AND AN INCREASE IN THEIR PROCESSING FEE ISSUED BY THE POLICE DEPARTMENT

WHEREAS, the City currently has 135 Certificates of Convenience and Necessity allowing individuals to operate taxicabs throughout the City;

WHEREAS, the drivers are allowed to operate these certificates for a percentage of their earnings encouraging them to hold onto these certificates while operating for a limited amount of hours;

WHEREAS, there is currently a waiting list to obtain these certificates which are not transferable, and the City is in need of better service on a 24-hour basis;

WHEREAS, it is in the best interest of the City to have access to more taxicabs during a 24-hour period while allowing owners to maintain their vehicles and benefit from their earnings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Greensboro Police Department is authorized to issue an unlimited number of Certificates of Convenience and Necessity as requested by taxicab operators and that the one-time fee for these additional Certificates shall be \$100.00.

(Signed) Donald R. Vaughan

.....

Mayor Holliday introduced a resolution authorizing the use of Council Contingency Funds to provide funding support for Project Homestead's Year 2000 Housing Blitz.

Stating that this was the third year Project Homestead had requested financial support specifically for a housing blitz, Councilmember Phillips stated that, in his opinion, the City of Greensboro had a generous housing budget and these types of funding should be included in either the Housing or Human Relations Department budgets.

Thomas Scott, representing Project Homestead, Inc., responded to questions about the housing blitz and requested Council to adopt the resolution.

After discussion, Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

112-00 RESOLUTION AUTHORIZING THE USE OF COUNCIL CONTINGENCY FUNDS TO PROVIDE FUNDING SUPPORT FOR PROJECT HOMESTEAD'S YEAR 2000 HOUSING BLITZ

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Fund Council Contingency Account of the City of Greensboro is hereby amended as follows:

That the appropriation for the Council Contingency Account be decreased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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101-9550-01.5990	Contingency	\$10,000
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and, that the appropriation for the following General Fund account be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-9540-22.5931	Contribution to Non-Govt Agency	\$10,000

(Signed) Yvonne J. Johnson

.....

After the introduction by Mayor Holliday of a resolution approving bid in the amount of \$668,904.30 and authorizing execution of Contract No. 2000-11 with Tri-State Consultants for sidewalk improvements, Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

113-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2000-11 WITH TRI-STATE CONSULTANTS FOR SIDEWALK IMPROVEMENTS

WHEREAS, after due notice, bids have been received for sidewalk improvements for twelve projects throughout the City;

WHEREAS, Tri-State Consultants, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$668,904.30 as general contractor for Contract No. 2000-11, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Tri-State Consultants is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 402-6002-01.6015 CBR 001.

(Signed) Donald R. Vaughan

(A tabulation of bids for sidewalk improvements is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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The Mayor introduced a resolution approving bid in the amount of \$2,856,610.00 and authorizing execution of contract with Clary Hood, Inc. for White Street Landfill Phase III, Cell 2 Expansion improvements.

After brief discussion, Councilmember Jones moved adoption of the resolution. The motion was seconded by Councilmember Carmany; the resolution was adopted on the following roll call vote: Ayes: Carmany, Holliday, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: Burroughs-White and Johnson.

114-00 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT WITH CLARY HOOD, INC. FOR WHITE STREET LANDFILL PHASE III, CELL 2 EXPANSION IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for Phase III, Cell 2 improvements for the White Street Landfill Phase III, Cell 2 Expansion project;

WHEREAS, Clary Hood, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,856,610.00 as general contractor for this project, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Clary Hood, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 553-6509-02.6010 CBR 001.

(Signed) Earl Jones

(A tabulation of bids for the White Street Landfill Phase III, Cell 2 Expansion improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

.....

Mayor Holliday introduced a resolution authorizing the City of Greensboro to enter into a partnership with the District of Buiucani, Republic of Moldova, to become a Sister City.

After brief Council discussion about Greensboro's Sister City relationship with Montbeliard, France, and the hope that this project would enjoy the same measure of success, the Mayor advised that Councilmember Carmany would represent Greensboro on a future visit to Moldova.

Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

115-00 RESOLUTION AUTHORIZING THE CITY OF GREENSBORO TO ENTER INTO A PARTNERSHIP WITH THE DISTRICT OF BUIUCANI, REPUBLIC OF MOLDOVA, TO BECOME A SISTER CITY

WHEREAS, the "People-to-People program" was established by the President of the United States at the White House in 1956 to establish greater friendship and understanding between the peoples of the United States and other nations through the medium of direct personal contact;

WHEREAS, to implement this program the City of Greensboro and other cities in the United States have been requested by the American Municipal Association to affiliate with a city abroad of similar characteristics and mutual interest;

WHEREAS, Congress has designated the State of North Carolina as a Sister-State with the Republic of Moldova for the continuing exchange of cultural, educational and economic ideas;

WHEREAS, the City of Greensboro through its City Council does hereby consider, recognize and endorse this program with the hope that it will lead to a lasting friendship between the people of Greensboro, North Carolina and the people of the District of Buiucani, Republic of Moldova.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council, on behalf of the people of Greensboro, hereby extends an invitation to the Government and people of the District of Buiucani, Republic of Moldova, to participate with the City of Greensboro as its Sister-City in the "People-to-People Program" for the purpose of creating good will and a wide knowledge of understanding between the people of our two nations.

2. That Sandy Carmany is hereby authorized to act as official representative of the City of Greensboro to carry out this program.
3. That copies of this resolution are to be sent to the Official Representatives of the District of Buiucani, Republic of Moldova, the American Municipal Association, the United States Department of the State and the Embassy of Moldova.

(Signed) Donald R. Vaughan

.....

Mayor Holliday introduced an ordinance amending Chapter 2 of the Greensboro Code of Ordinances with respect to Council meetings.

After members of Council discussed personal opinions, concerns and input received from citizens regarding the regular meeting time of the City Council meetings, Councilmember Jones moved adoption of the ordinance which would change the time to 5:30 p.m. in lieu of 6:00 p.m. The motion was seconded by Councilmember Perkins and received five affirmative votes on the following roll call vote: Ayes: Burroughs-White, Johnson, Jones, Perkins, and D. Vaughan. Noes: Carmany, Holliday, Phillips and N. Vaughan.

The City Attorney advised that because the ordinance received only five affirmative votes on first reading, the ordinance would be scheduled for second reading at the regular meeting of 20 June 2000.

(NOTE: THIS ORDINANCE WAS DEFEATED ON SECOND READING ON 6-20-00.)

.....

The Mayor stated that this was the time for Council consideration of a Police Citizen Review Board; he advised the public hearing held on 7 March 2000 had been closed.

Some members of Council offered personal comments and opinions with respect to the creation of a Police Citizen Review Board, whether delaying Council action had yielded additional information or proposals, and the overall Human Relations issues being faced by Greensboro citizens.

Councilmember Johnson thereupon moved that Council establish a Police Citizen Review Board based on the recommendations of the Task Force Committee. The motion was seconded by Councilmember Burroughs-White; the motion was DEFEATED on the following roll call vote: Ayes: Burroughs-White, Johnson and Jones. Noes: Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan.

At the request of Mayor Holliday, Mayor Pro Tem Johnson assumed the Chair.

Mayor Holliday thereupon moved that the citizens of Greensboro have the ability to file a complaint or grievance to the complaint review committee of the Human Relations Department and the following process would be put in place:

- A) Citizens would be aware of the process due to an abundance of promotion which included brochures (exploring the process) at the Magistrates' Office, City Administration, Human Relations, and Libraries, as well as other forms of communication such as government access channel;
- B) Citizens would be allowed to make their complaint to a staff member of the Human Relations Department;
- C) Citizens would hear a response within 3 working days (initial direction);
- D) The intake staff person would write up the report in duplicate with one copy going to the committee chair and the other to the Police Department;
- E) The Police Department conducts their investigation and reports the findings and back up to committee for review;
- F) Committee meets to decide if they concur and pass their recommendation to the City Manager for action;

- G) If the committee does not concur with findings, further discussion may be held by the committee and Police Chief to try to reconcile the differences;
- H) If unable to reach agreement then recommendation is delivered to the City Manager (in appeal basis fashion) for his own investigation or disposition as he sees fit and as the chief officer of all City employees;
- I) Complainant receives information back from Human Relations employee as to final outcome of the complaint—this may require a request for local legislation.

The Mayor added the following:

- There will be an in-depth tracking system put in place to categorize the complaints and produce outcomes
- After 12 months an evaluation from City Council with statistical data would determine any further changes, if needed
- Local legislation would be requested from the State to allow for disclosure of police findings to committee members only
- Committee will be made up from staff recommendations at a later date vs. designation by Council
- Committee would be required to receive training that would better equip them for the job (including Citizen Police Academy).

Mayor Holliday's motion died for lack of a second.

After Council discussed at length personal opinions and concerns with regard to the motion, the procedure being used at this meeting to discuss this issue, requests to clarify certain statements/requirements contained in the proposed motion, etc., Councilmember Perkins offered the following substitute motion that Council 1) instruct the Manager to increase publicity of existing Human Relations process, 2) allow the filing of complaints with the Police Department or Human Relations Department, and 3) require Human Relations to track the nature of complaints and report annually to the City Council. The motion was seconded by Councilmember Phillips and adopted on the following roll call vote: Ayes: Carmany, Holliday, Perkins, Phillips, Vaughan and Vaughan. Noes: Burroughs-White, Johnson and Jones.

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Mayor Holliday reassumed the Chair after the above discussion.

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Speaking at the Speakers from the Floor portion of the meeting, the following individuals spoke in favor of a Police Citizen Review Board:

Louis Hazard, residing at 1710B Walker Avenue, stated in his opinion a Board was needed to protect citizens and the Police, requested Council to reconsider their earlier decision not to establish a Board, and spoke to discontentment in the community and the potential for unrest.

Bobby L. Glenn, residing at 1204 East Side Drive, supported a Board that would create a citizen-based mechanism for organized input and feedback.

Robert Steele, residing at 2517 Walker Avenue and a retired law enforcement officer, stated that he believed the Police Department should be subject to review, offered comments about the present system of receiving and processing complaints, and expressed concern with ongoing changes in the Police Department which he believed were not in the best interest of the public.

Timothy X, cited examples of criminal activity of some law enforcement personnel and stated he believed Police officers should be held accountable for their actions.

Jim McNally, residing at 1318b Adams Farm Parkway, spoke to his past relationship with law enforcement and stated that he believed Police should be held to a higher level of accountability.

Brian Kilpatrick, residing at 1505 Maple Street, expressed concern that no members of Council had changed their positions since the last meeting and spoke to the issue of racism and disrespect involving the entire community. In response to his inquiry as to why Councilmember Carmany had not abstained from voting on this issue because members of her family had been employed by the Police Department, Councilmember Phillips and the City Attorney emphasized that she was legally required to vote on this issue.

J. Kelly Davis, residing at 2105 Three Meadows Road, offered his thoughts about Police, existing attitudes among citizens and racism in today's society.

Representative Alma Adams, residing at 2 Mandela Court, stated that she believed enough data had been presented to support the creation of a review board, expressed disappointment that Council had not created a review Board to address problems in the community, stated that she believed reviews of the Police Department should not be conducted internally but by an outside review board with citizen participation, and offered her thoughts about the possible action should this issue be addressed by the General Assembly.

The following individuals spoke in opposition to a Police Citizen Review Board:

Wayne Campbell, residing at 3117A Darden Road, stated he believed the Police were doing a good job, provided statistical information regarding police activity, spoke to the system in place to enable complaints against the Police Department, and stated that the Greensboro Police Department's Internal Affairs Division already ensured Police were held accountable for their actions.

Don Knott, Greensboro Police Department, spoke to his work in law enforcement and stated citizens could not understand the nature of this work; he detailed the many phases of accountability which were in place for the review of Police and advised that inappropriate behavior of Police officers was addressed internally by the Department. Brief discussion was held with regard to National Police Officers' standards and community standards.

Ervin Shaw, residing at 2000 Owens Street, expressed his opposition to a Police Citizen Review Board.

Eddie Summers, Greensboro Police Department, outlined the layers of accountability for all Police officers beginning with the Internal Affairs Division and ending with the Court system, stated most citizens agreed that the Greensboro Police Department adequately policed themselves, and questioned why the existing standards to which Greensboro officers are held should be lowered with the creation of a Police Citizen Review Board. Officer Summers encouraged the Council to participate in the Department's Ride Along program to witness and better understand the environment in which street level officers have to work and make decisions.

Jack Almon, residing at 3106 Collier Drive, a retired police officer, spoke to the work of police officers, commended the Greensboro Police Department for their fine work, and stated that through the work of the Internal Affairs Division, the Department did a good job of policing themselves.

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Councilmember Burroughs-White requested Council to continue to explore ways to address the concerns of the community by raising awareness and promoting understanding as to how to deal with racism.

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Members of Council discussed various forums, meetings, events and items of interest to the Council and community.

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Councilmember Johnson moved that John Patterson be appointed to fill the unexpired portion of term on the Human Relations Commission of Kathy C. Locklear, resigned; this term will expire 15 August 01. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

Councilmember Johnson added the name of Barbara J. Akins to the boards and commissions data bank for consideration for future service on the Human Relations Commission.

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Councilmember Carmany added the name of Earl Tysinger to the boards and commissions data bank for consideration for future service on the Plumbers Examining Board.

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Mayor Holliday added the name of Tom Jordan to the boards and commissions data bank for consideration for future service on the War Memorial Commission.

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Councilmember Perkins requested that Council instruct the Manager to place on the June 20 agenda an item to provide funding for soccer fields at Page High School.

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Councilmember Johnson moved that the City Council adjourn. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED AT 10:55 P.M.

KEITH A. HOLLIDAY
MAYOR

JUANITA F. COOPER
CITY CLERK

YVONNE J. JOHNSON
MAYOR PRO TEMPORE
